

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 2:04-cr-20281-MSN-1

DANNY WINBERRY,

Defendant.

ORDER DIRECTING UNITED STATES TO RESPOND TO DEFENDANT’S MOTION

On June 13, 2004, Defendant Danny Winberry was indicted on nine counts involving, but not limited to, conspiracy to commit murder, arson, bribery, and solicitation of others to engage in criminal activity. (ECF No. 1.) On February 6, 2007, Winberry entered a guilty plea to counts one and two and the Government agreed to dismiss all remaining counts at sentencing. (ECF No. 102.) Per the Court’s Judgment, docketed June 26, 2009, (ECF Nos. 133, 134), Winberry received a sentence of 360 months incarceration. Winberry appealed his sentence on June 27, 2009, (ECF No. 135), and the Sixth Circuit affirmed his sentence. (*See* ECF No. 145.) On June 7, 2020, Winberry filed a *pro se* motion for early release, (ECF No. 75), which was denied. (ECF No. 148.)

On January 24, 2022, Winberry filed a second *pro se* Motion for Compassionate Release pursuant to 18 U.S.C. § 3582(c)(1)(A). (ECF No. 149) (“Motion”). The United States has yet to respond to Winberry’s Motion. The United States is hereby **ORDERED** to file a response to Defendant’s Motion within twenty-eight (28) days after the date of entry for this Order.

IT IS SO ORDERED this 9th day of February, 2022.

s/ Mark Norris

MARK S. NORRIS

UNITED STATES DISTRICT JUDGE